**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.27221 of 2006**

**Date: 12.02.2007**

Between:
Likki Laxma Reddy.

....Petitioner

And

The Divisional Electrical Engineer (Operation) Central Power distribution Power Company of A.P. Limited, Ranga Reddy North Circle, Uppal, R.R.District and another.

....Respondents

–
–
–
–
–
–

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

–

**WRIT PETITION No.27221 of 2006**

–

**O R D E R:**

Petitioner states that he purchased the property bearing House No. 2-1-2 at Saraswathi Colony in Survey No.590/A of Uppal Revenue Village Mandal and Municipality, Ranga Reddy District, through a sale deed dated 09.01.2006. It is stated that after purchase, the petitioner obtained power supply through S.C.No.1402, by making requisite deposits. The petitioner complains that the power supply was disrupted suddenly in the second week of December 2006, without issuing any show cause or demand notice.

The matter was listed for admission on 02.01.2007. Time was granted to the learned Standing Counsel to obtain instructions. Thereafter, this Court ordered Notice Before Admission on 17.01.2007 and directed the respondents to restore the power supply to the petitioner.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The allegation of the petitioner that he was not issued any show cause or demand notice, before the disconnection of the power supply, is not denied. The disconnection appears to have been done, on account of accumulation of arrears of the previous owner of the property. It is well settled law that the power supply to any premises cannot be disconnected, on the ground that there existed arrears of consumption charges payable by the previous owner.

If the power supply to the petitioner was liable to be disconnected, on account of any acts or omissions attributable to the petitioner, the respondents are under obligation to issue notice to him, indicating the nature of the acts or omissions on his part. The sudden disconnection of power supply, without issuing notice, amounts to arbitrariness and misuse of power by the respondents. Such a step cannot be countenanced in law.

Hence, the Writ Petition is allowed and the respondents are directed to continue power supply to the petitioner, as long as he pays the consumption charges. In case, the respondents intend to initiate any action against the petitioner, it shall be open to them to do so, only after issuing written notices or communications. There shall be no order as to costs.

**12.02.2007**

**JSU**